

112TH CONGRESS
1ST SESSION

S. 278

AN ACT

To provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Sugar Loaf Fire Pro-
3 tection District Land Exchange Act of 2011”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **DISTRICT.**—The term “District” means the
7 Sugar Loaf Fire Protection District of Boulder, Col-
8 orado.

9 (2) **FEDERAL LAND.**—The term “Federal land”
10 means—

11 (A) the parcel of approximately 1.52 acres
12 of land in the National Forest that is generally
13 depicted on the map numbered 1, entitled
14 “Sugarloaf Fire Protection District Proposed
15 Land Exchange”, and dated November 12,
16 2009; and

17 (B) the parcel of approximately 3.56 acres
18 of land in the National Forest that is generally
19 depicted on the map numbered 2, entitled
20 “Sugarloaf Fire Protection District Proposed
21 Land Exchange”, and dated November 12,
22 2009.

23 (3) **NATIONAL FOREST.**—The term “National
24 Forest” means the Arapaho-Roosevelt National For-
25 ests located in the State of Colorado.

1 (4) NON-FEDERAL LAND.—The term “non-Fed-
 2 eral land” means the parcel of approximately 5.17
 3 acres of non-Federal land in unincorporated Boulder
 4 County, Colorado, that is generally depicted on the
 5 map numbered 3, entitled “Sugarloaf Fire Protec-
 6 tion District Proposed Land Exchange”, and dated
 7 November 12, 2009.

8 (5) SECRETARY.—The term “Secretary” means
 9 the Secretary of Agriculture.

10 **SEC. 3. LAND EXCHANGE.**

11 (a) IN GENERAL.—Subject to the provisions of this
 12 Act, if the District offers to convey to the Secretary all
 13 right, title, and interest of the District in and to the non-
 14 Federal land, and the offer is acceptable to the Sec-
 15 retary—

16 (1) the Secretary shall accept the offer; and

17 (2) on receipt of acceptable title to the non-
 18 Federal land, the Secretary shall convey to the Dis-
 19 trict all right, title, and interest of the United States
 20 in and to the Federal land.

21 (b) APPLICABLE LAW.—Section 206 of the Federal
 22 Land Policy and Management Act of 1976 (43 U.S.C.
 23 1716) shall apply to the land exchange authorized under
 24 subsection (a), except that—

1 (1) the Secretary may accept a cash equali-
2 zation payment in excess of 25 percent of the value
3 of the Federal land; and

4 (2) as a condition of the land exchange under
5 subsection (a), the District shall—

6 (A) pay each cost relating to any land sur-
7 veys and appraisals of the Federal land and
8 non-Federal land; and

9 (B) enter into an agreement with the Sec-
10 retary that allocates any other administrative
11 costs between the Secretary and the District.

12 (c) **ADDITIONAL TERMS AND CONDITIONS.**—The
13 land exchange under subsection (a) shall be subject to—

14 (1) valid existing rights; and

15 (2) any terms and conditions that the Secretary
16 may require.

17 (d) **TIME FOR COMPLETION OF LAND EXCHANGE.**—

18 It is the intent of Congress that the land exchange under
19 subsection (a) shall be completed not later than 1 year
20 after the date of enactment of this Act.

21 (e) **AUTHORITY OF SECRETARY TO CONDUCT SALE**
22 **OF FEDERAL LAND.**—

23 (1) **IN GENERAL.**—In accordance with para-
24 graph (2), if the land exchange under subsection (a)
25 is not completed by the date that is 1 year after the

1 date of enactment of this Act, the Secretary may
 2 offer to sell to the District the Federal land.

3 (2) VALUE OF FEDERAL LAND.—The Secretary
 4 may offer to sell to the District the Federal land for
 5 the fair market value of the Federal land.

6 (f) DISPOSITION OF PROCEEDS.—

7 (1) IN GENERAL.—The Secretary shall deposit
 8 in the fund established under Public Law 90–171
 9 (commonly known as the “Sisk Act”) (16 U.S.C.
 10 484a) any amount received by the Secretary as the
 11 result of—

12 (A) any cash equalization payment made
 13 under subsection (b); and

14 (B) any sale carried out under subsection
 15 (e).

16 (2) USE OF PROCEEDS.—Amounts deposited
 17 under paragraph (1) shall be available to the Sec-
 18 retary, without further appropriation and until ex-
 19 pended, for the acquisition of land or interests in
 20 land in the National Forest.

21 (g) MANAGEMENT AND STATUS OF ACQUIRED
 22 LAND.—The non-Federal land acquired by the Secretary
 23 under this section shall be—

24 (1) added to, and administered as part of, the
 25 National Forest; and

1 (2) managed by the Secretary in accordance
2 with—

3 (A) the Act of March 1, 1911 (commonly
4 known as the “Weeks Law”) (16 U.S.C. 480 et
5 seq.); and

6 (B) any laws (including regulations) appli-
7 cable to the National Forest.

8 (h) REVOCATION OF ORDERS; WITHDRAWAL.—

9 (1) REVOCATION OF ORDERS.—Any public
10 order withdrawing the Federal land from entry, ap-
11 propriation, or disposal under the public land laws
12 is revoked to the extent necessary to permit the con-
13 veyance of the Federal land to the District.

14 (2) WITHDRAWAL.—On the date of enactment
15 of this Act, if not already withdrawn or segregated
16 from entry and appropriation under the public land
17 laws (including the mining and mineral leasing laws)
18 and the Geothermal Steam Act of 1970 (30 U.S.C.
19 1001 et seq.), the Federal land is withdrawn until

- 1 the date of the conveyance of the Federal land to the
- 2 District.

Passed the Senate November 2, 2011.

Attest:

Secretary.

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